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EXAMINER

SITTNER, MATTHEW T

ART UNIT

PAPER NUMBER

3629

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<i>Office Action Summary</i>	Application No.	Applicant(s)	
	10/526,319	ALONSO ET AL.	
	Examiner	Art Unit	
	MATTHEW SITTNER	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/26/2008</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3629

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 02/25/2005. Claims 1-58 are currently pending and have been examined.

Information Disclosure Statement

2. The information disclosure statement submitted on 08/26/2008, has been considered by the Examiner and made of record in the application file.

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figs. 1-22 are illegible. In addition, the text inside the figures is of a font size which cannot easily be read. Further, the screen shot copies provided in applicant's application are blotchy and difficult to read.
4. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Art Unit: 3629

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 6 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. Regarding Claim 6:

6. The system as claimed in claim 3, wherein the delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the reports,

Applicant doesn't provide an enabling disclosure for the claimed customizing the reports. At [0067] of applicant's PG Pub. 2006/0064305, he discloses customized reporting capabilities. However, this feature is not enabled. What is the means for customizing and how does it customize? What does applicant mean by customized? Is the form of the report customized or the content or both? Who does the customization and when and where is the customization performed?

Further, applicant doesn't provide an enabling disclosure for the claimed means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media. At [0054] of applicant's PG Pub., applicant discloses "a

Art Unit: 3629

delivery system allows reports to be delivered to appropriate parties through a number of different media". However, this disclosure is not enabling. Further disclosure concerning the delivery system is required to be enabling.

Art Unit: 3629

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

9. Claims 1-5, 9, 11-14, 18-19, 22-23, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by: Petite et al. US PGPub. 2002/0125998 (Petite).

10. Regarding Claim 1, “Petite” discloses the following as claimed:

1. A real property management system comprising an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising:

Petite discloses a system and method for monitoring and controlling remote devices. Petite at Abstract and at Summary of the Invention. These remote devices may be used to manage and monitor a real property facility (i.e. the claimed real property management system).

Art Unit: 3629

The system has both monitoring and reporting features.

Monitoring: [0003, 0013, 0015, 0021, 0024, 0032, 0033, 0034, 0048-0049, 0071-0073, 0089-0093] Fig. 2, 6, 7, 8.

Reporting: [0003, 0009, 0013, 0016, 0033, 0052] Fig. 7.

a. a database server for storing data information about locations in the real property site, action items concerning the real property site, and other information about the real property site;

Petite discloses computers servers, and databases which record and store information and data concerning a remote real property site. Petite at [0013, 0014, 0015, 0046, 0052].

b. client devices for inputting information to and receiving information from the database server;

Petite discloses transceivers which both receive and transmit data to and from a system server. [0015]. He also discloses a web site which a user may access and interact with the greater system and database server. [0017, 0044, 0060-0066].

A graphical user interface (GUI) is disclosed at [0064].

c. a networked server for allowing direct client device access to the system and the database server; and

Art Unit: 3629

Petite discloses a networked server which allows database access to various client devices (i.e. sensors, etc...) [0003, 0020, 0046, 0051, 0053, 0069].

d. an interface system for allowing input to and output from the system from remote personnel at the real property site, so as to inform the system of the items and incidences and whether the items and incidences have been addressed and to inform the remote personnel of the items and incidences and the action items.

Petite [0044, 0054-0055, 0061-0062, 0076] discloses on-site transceivers which have user interfaces such as a keypad, selectable buttons, or alphanumeric keypad. These sensors and transceivers convey information to users who may be either on-site or remote from the sensor.

11. Regarding Claim 2, "Petite" discloses the following as claimed:

2. The system as claimed in claim 1, further comprising a network operation center for providing a means for monitoring the state of the system and clients and for checking the integrity of the system.

Petite discloses a central controller which is configured to function as a monitoring station. [0042-0043, 0083-0084] Fig. 1. The disclosed central controller is construed as claimed network operation center.

Art Unit: 3629

12. Regarding Claim 3, “Petite” discloses the following as claimed:

3. The system as claimed in claim 1, further comprising a delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media.

Petite disclose a plurality of reporting means. [0016, 0052, 0062, 0072].

13. Regarding Claim 4, “Petite” discloses the following as claimed:

4. The system as claimed in claim 1, further comprising a delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media.

Petite discloses the central controller as a means to notify a technician of an alarm condition. [0042]. Personal transmitters are disclosed as a delivery system at [0094].

14. Regarding Claim 5, “Petite” discloses the following as claimed:

5. The system as claimed in claim 1, further comprising means for proactively entering incidence information into the system and generating incidence reports for rectifying incidences.

Petite provides a plurality of means by which a user may interact with the system including entering information into the system and generating reports. These means include interactive transceivers, sensors, web-site, GUI, etc...

Art Unit: 3629

Petite [0044, 0054-0055, 0061-0062, 0076] discloses on-site transceivers which have user interfaces such as a keypad, selectable buttons, or alphanumeric keypad. These sensors and transceivers convey information to users who may be either on-site or remote from the sensor.

Petite discloses transceivers which both receive and transmit data to and from a system server. [0015]. He also discloses a web site which a user may access and interact with the greater system and database server. [0017, 0044, 0060-0066].

A graphical user interface (GUI) is disclosed at [0064].

15. Regarding Claim 9, “Petite” discloses the following as claimed:

9. The system as claimed in claim 4, wherein the delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the alerts, means for selecting the appropriate parties to whom the alerts are to delivered, and means for selecting the receiving media.

Petite at [0042] discloses central controller 130 which can be configured to forward alarm conditions to appropriate public safety officers. An alarm is a type or kind of an alert. Thus, Petite’s system for alerting various officers of particular alarms is construed as claimed “delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the alerts, means for selecting the appropriate parties to whom the alerts are to delivered, and means for selecting the receiving media”.

16. Regarding Claim 11, “Petite” discloses the following as claimed:

11. The system as claimed in claim 9, wherein the alerts are generated in real time based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

Petite’s alarms and reports are construed as claimed alerts.

Petite [0009] discloses a plurality of systems which require real-time monitoring including fire reporting and alarm systems. Petite’s system is directed to a computerized system for monitoring, reporting, and controlling remote systems and system information. [0013, 0042, 0068]. At [0068] Petite disclose associating various code segments with various alarms. This coding allows various responses to be made to various alarms. See [0093] for an example of some of the systems which may be controlled by Petite’s system.

Petite at [0042] discloses central controller 130 which can be configured to forward alarm conditions to appropriate public safety officers. An alarm is a type or kind of an alert.

17. Regarding Claim 12, “Petite” discloses the following as claimed:

12. The system as claimed in claim 5, wherein the means for proactively entering incidence information into the system and generating incidence reports for rectifying incidences

Art Unit: 3629

comprises the client devices and computer software for interpreting and categorizing the incidence information.

See Petite at Figs. 1-2, 3A-3D. The sensors and transmitters allow for entering incidence information into the system.

18. Regarding Claim 13, “Petite” discloses the following as claimed:

13. A real property management system comprising an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising:

- a. a database server for storing data information about locations in the real property site, action items concerning the real property site, and other information about the real property site;
- b. client devices for inputting information to and receiving information from the database server;
- c. a networked server for allowing direct client device access to the system and the database server;
- d. an interface system for allowing input to and output from the system from remote personnel at the real property site, so as to inform the system of the items and incidences and whether the items and incidences have been addressed and to inform the remote personnel of the items and incidences and the action items; and

Art Unit: 3629

Claim 13 a-d, has similar limitations as of Claim 1, therefore it is rejected under the same rationale as Claim 1.

e. a delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media.

Petite disclose a plurality of reporting means. [0016, 0052, 0062, 0072].

Claim 13 e, has similar limitations as of Claim 3, therefore it is rejected under the same rationale as Claim 3.

19. Regarding Claim 14, “Petite” discloses the following as claimed:

14. The system as claimed in claim 13, further comprising means for proactively entering incidence information into the system and wherein the reports are incidence reports for rectifying incidences generated from the incidence information.

Claim 14, has similar limitations as of Claim 5, therefore it is rejected under the same rationale as Claim 5.

20. Regarding Claim 18, “Petite” discloses the following as claimed:

18. A real property management system comprising an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real

Art Unit: 3629

property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising:

- a. a database server for storing data information about locations in the real property site, action items concerning the real property site, and other information about the real property site;
- b. client devices for inputting information to and receiving information from the database server;
- c. a networked server for allowing direct client device access to the system and the database server;
- d. an interface system for allowing input to and output from the system from remote personnel at the real property site, so as to inform the system of the items and incidences and whether the items and incidences have been addressed and to inform the remote personnel of the items and incidences and the action items; and
- e. a delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media.

Claim 18, has similar limitations as of Claim 13, therefore it is rejected under the same rationale as Claim 13.

21. Regarding Claim 19, “Petite” discloses the following as claimed:

Art Unit: 3629

19. The system as claimed in claim 18, further comprising means for proactively entering incidence information into the system and wherein the alerts are generated from the incidence information.

Claim 19, has similar limitations as of Claim 5, therefore it is rejected under the same rationale as Claim 5.

22. Regarding Claim 22, “Petite” discloses the following as claimed:

22. A real property management system comprising an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising:

a. a database server for storing data information about locations in the real property site, action items concerning the real property site, and other information about the real property site;

b. client devices for inputting information to and receiving information from the database server;

c. a networked server for allowing direct client device access to the system and the database server;

d. an interface system for allowing input to and output from the system from remote personnel at the real property site, so as to inform the system of the items and incidences and

Art Unit: 3629

whether the items and incidences have been addressed and to inform the remote personnel of the items and incidences and the action items;

e. a delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media; and

Claim 22 a-e, has similar limitations as of Claim 18, therefore it is rejected under the same rationale as Claim 18.

f. a delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media.

Claim 22 f, has similar limitations as of Claim 4, therefore it is rejected under the same rationale as Claim 4.

Petite discloses the central controller as a means to notify a technician of an alarm condition. [0042]. Personal transmitters are disclosed as a delivery system at [0094].

23. Regarding Claim 23, “Petite” discloses the following as claimed:

23. The system as claimed in claim 22, further comprising means for proactively entering incidence information into the system and wherein the reports are incidence reports for rectifying incidences generated from the incidence information.

Claim 23, has similar limitations as of Claim 5, therefore it is rejected under the same rationale as Claim 5.

Art Unit: 3629

24. Regarding Claim 27, “Petite” discloses the following as claimed:

27. The system as claimed in claim 24, wherein the alerts are generated in real time based on the input to the system from the remote personnel at the real property site regarding the incidences.

Claim 27, has similar limitations as of Claim 11, therefore it is rejected under the same rationale as Claim 11.

Art Unit: 3629

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (*See MPEP Ch. 2141*)

- a. Determining the scope and contents of the prior art;
- b. Ascertaining the differences between the prior art and the claims in issue;
- c. Resolving the level of ordinary skill in the pertinent art; and
- d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

26. Claims 6-7, 10, 15-16, 20, 24-25 is rejected under 35 U.S.C. 103(a) as being unpatentable over “Petite” as applied to Claim 3 above and in further view of “Vivadelli et al. US PGPub. 2004/0267623 (Vivadelli)”.

27. Re Claim 6,

6. The system as claimed in claim 3, wherein the delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media

Petite disclose a plurality of reporting means. [0016, 0052, 0062, 0072]. Note: this feature of claim 6 is similar to claim 3.

“Petite” is not explicit in discussing:

comprises means for customizing the reports,

However, Vivadelli does. Vivadelli discloses a robust reporting system and the ability to customize reports [0128-0129].

means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media.

Vivadelli at [0050, 0137, 0145] discloses the claimed “means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media”. He discloses notifying select parties via e-mail notification or other communications methods. [0137].

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of “Petite” and “Vivadelli” as a whole to produce the invention as claimed with a reasonable expectation of achieving: property management features of Petite with the reporting and selective delivery features of Vivadelli.

One would expect a high degree or level of success when combining these references as all the references seek to solve the same problem of managing a facility (See references’ Abstract and Summary of the Invention). Further, all references employ similar features to solve this problem. The references utilize remote sensors, computers, the internet, etc...

28. Regarding Claim 15,

Art Unit: 3629

15. The system as claimed in claim 14, wherein the delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the reports, means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media.

Claim 15, has similar limitations as of Claim 6, therefore it is rejected under the same rationale as Claim 6.

29. Regarding Claim 20,

20. The system as claimed in claim 19, wherein the delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the alerts, means for selecting the appropriate parties to whom the alerts are to delivered, and means for selecting the receiving media.

Claim 20, has similar limitations as of Claim 6, therefore it is rejected under the same rationale as Claim 6.

30. Regarding Claim 24,

24. The system as claimed in claim 23, wherein:

a. the delivery system for allowing reports to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the reports, means for

Art Unit: 3629

selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media; and

Claim 24 a, has similar limitations as of Claim 6, therefore it is rejected under the same rationale as Claim 6.

b. the delivery system for allowing alerts to be delivered to appropriate parties through a number of different receiving media comprises means for customizing the alerts, means for selecting the appropriate parties to whom the alerts are to delivered, and means for selecting the receiving media.

Claim 24 b, has similar limitations as of Claim 9, therefore it is rejected under the same rationale as Claim 9.

31. Re Claim 7, *"Petite" is not explicit in discussing:*

7. The system as claimed in claim 6, wherein the reports are generated at set intervals based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

However, Vivadelli does. Generating reports at set intervals is old in the art. See for example Vivadelli at [00128-00129]. Vivadelli discloses generating customized reports on at least a daily or weekly basis.

Art Unit: 3629

32. Regarding Claim 16,

16. The system as claimed in claim 15, wherein the reports are generated at set intervals based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

Claim 16, has similar limitations as of Claim 7, therefore it is rejected under the same rationale as Claim 7.

33. Regarding Claim 25,

25. The system as claimed in claim 24, wherein the reports are generated at set intervals based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

Claim 25, has similar limitations as of Claim 7, therefore it is rejected under the same rationale as Claim 7.

34. Re Claim 10, *"Petite" is not explicit in discussing:*

10. The system as claimed in claim 9, wherein the alerts are generated at set intervals based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

However, Vivadelli does. A report communicated via an email may act as an alert. A regularly generated maintenance report which alerts or reminds a maintenance person

Art Unit: 3629

to perform a service would accomplish that which applicant is claiming. Examples might be monthly equipment check or daily fuel checks. Generating reports at set intervals is old in the art. See for example, Vivadelli at [0128-0129]. Vivadelli discloses generating customized reports on at least a daily or weekly basis.

Art Unit: 3629

35. Claims 8, 17, 21, 26, are rejected under 35 U.S.C. 103(a) as being unpatentable over “Petite” and “Vivadelli” as applied to Claim 6 above in further view of “Zaks et al. US PGPub. 2003/0078798. ”.

36. Re Claim 8, *“Petite” and “Vivadelli” are not explicit in discussing:*

8. The system as claimed in claim 6, wherein the reports are generated in real time based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

However, Zaks does. Zaks at [0077] discloses daily reporting. Daily reporting is construed as claimed reports are generated in real time.

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of “Petite” and “Vivadelli” and “Zaks” as a whole to produce the invention as claimed with a reasonable expectation of achieving: property management features of Petite with the reporting and selective delivery features of Vivadelli with the real time/daily reporting features of Zaks.

One would expect a high degree or level of success when combining these references as all the references seek to solve the same problem of managing a facility (See references’ Abstract and Summary of the Invention). Further, all references employ similar features to solve this problem. The references utilize remote sensors, computers, the internet, etc...

Art Unit: 3629

37. Regarding Claim 17,

17. The system as claimed in claim 15, wherein the reports are generated in real time based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

Claim 17, has similar limitations as of Claim 8, therefore it is rejected under the same rationale as Claim 8.

38. Regarding Claim 21,

21. The system as claimed in claim 20, wherein the alerts are generated in real time based on the input to the system from the remote personnel at the real property site regarding the incidences.

Claim 21, has similar limitations as of Claim 8, therefore it is rejected under the same rationale as Claim 8.

39. Regarding Claim 26,

26. The system as claimed in claim 24, wherein the reports are generated in real time based on the input to the system from the remote personnel at the real property site regarding the items and incidences and the action items.

Art Unit: 3629

Claim 26, has similar limitations as of Claim 8, therefore it is rejected under the same rationale as Claim 8.

Art Unit: 3629

40. Claims 28-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Petite” in view of “Dividock et al. US Pat. 6,078,255 (Dividock)” in further view of “Labeledz et al. US PGPub. 2008/0065456 (Labeledz)”.

41. Regarding Claim 28:

28. A method for managing real property via an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising the steps of:

Petite et al. US PGPub. 2002/0125998 (Petite). Petite discloses a system and method for monitoring and controlling remote devices. Petite at Abstract and at Summary of the Invention. These remote devices may be used to manage and monitor a real property facility (i.e. the claimed real property management system).

The system has both monitoring and reporting features.

Monitoring: [0003, 0013, 0015, 0021, 0024, 0032, 0033, 0034, 0048-0049, 0071-0073, 0089-0093] Fig. 2, 6, 7, 8.

Reporting: [0003, 0009, 0013, 0016, 0033, 0052] Fig. 7.

a. inputting into a system database information regarding the persons who can access the system and information regarding the buildings to be managed;

Petite discloses restricting access to certain persons at [0013]. He further discloses inputting data into the system via a user interface 321. See Petite at [0061-0066] and Figs

Art Unit: 3629

3A-3C. See [0058] where physical description and other personal identification information may be entered and stored.

See Petite at [0016] disclosing means for evaluating received information and means for reporting system parameters. [0052] discloses a server which collects, formats and stores client specific data.

c. creating at least one notification means selected from the group consisting of reports and alerts, and developing methods of sending reports and alerts to at least one appropriate person;

Petite discloses reporting at [0013, 0015, 0016] Fig. 7

Petite discloses alert or alarm at [0015, 0042]. [0042] discloses forwarding alarm conditions.

e. providing for real time access to information in the system database and input information provided by the personnel.

Petite at [0009] discloses systems requiring real-time monitoring (i.e. environmental and safety systems, heating, ventilation, fire reporting, access control, etc...) and the use of real-time control systems.

“Petite” is not explicit in discussing:

Art Unit: 3629

b. creating a property management customization by setting up posts within the buildings and locations within the buildings, scheduling tasks to be completed, developing tours for personnel, and developing incidents and items;

However, Dividock does. An inspection tour with posts and scheduled task as claimed is old and well known in the art. Dividock et al. US Pat. 6,078,255 (Dividock). He discloses a system for logging premises hazard inspections. His system provides electronic means to ensure that an employee successfully completes a pre-planned tour of an area. Dividock at Abstract and Summary of the Invention. See also Background of the Invention for an excellent recital of the prior art in this area. For example, Dividock cites U.S. Pat. No. 3,781,845 to Ellul. Ellul's application was filed in 1972 and discloses a system for verifying that security guards have visited each location along an inspection route.

"Petite" is not explicit in discussing:

d. allowing access to the property management customization by the personnel through remote devices so as to allow the personnel to obtain work orders from the system database and to input information to the system database; and

However, Labedz does. Labedz et al. US PGPub. 2008/0065456 (Labedz). Labedz discloses a system and method for managing maintenance of building facilities. His invention includes robust work order features. Work request process and work order process at [0004]. Central database which monitors work orders at [0012].

See [0037-0038] Figs. 24a, 24b and 25 for work order processing events.

Art Unit: 3629

See also [0051-0052, 0068, 0077, 0081, 0090-0093 – discusses the creation and entering of a work order onto a central system].

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of “Petite” and “Dividock” and “Labeledz” as a whole to produce the invention as claimed with a reasonable expectation of achieving: property management features of Petite with the reporting and inspection tour features of Dividock with the work order features of Labeledz.

One would expect a high degree or level of success when combining these references as all the references seek to solve the same problem of managing a facility (See references’ Abstract and Summary of the Invention). Further, all references employ similar features to solve this problem. The references utilize remote sensors, computers, the internet, etc...

42. Regarding Claim 29,

“Petite” is not explicit in discussing:

29. The method as claimed in claim 28, wherein the information regarding the buildings to be managed is used to develop tours and to pinpoint incident and item reports.

Dividock discloses using prior collected data for use in statistical analysis, management and for auditing compliance. Abstract. It would be obvious to one of ordinary skill in the art to use prior information collected from a building or inspection tour to develop future tours or to make modifications to existing tours. For example, if

Art Unit: 3629

collected data show that a certain high traffic area has a statistically greater number of accidents or spills that data can be used to increase the frequency of inspection and clean up in that area.

Dividock at col. 4, lines 55-60 discloses reports which can be analyzed statistically to pinpoint problem areas within a business premises, and to identify opportunities to decrease the occurrence of slip-fall hazards.

See also col. 8, lines 60 – col. 9, lines 8; also disclosing pinpointing problems or incidents.

43. Regarding Claim 30,

“Petite” is not explicit in discussing:

30. The method as claimed in claim 28, wherein the information regarding the buildings to be managed is used to develop tours to be completed by the personnel by selecting the locations within and around the building, organizing the locations into a coherent list, and creating the tour.

Dividock discloses generating a report with each inspection tour and archiving these reports for the benefit of management. See Dividock at Abstract and Summary of the Invention. It would be obvious to one of ordinary skill in the art to use the data collected for creating new tours or to modify existing tours.

44. Regarding Claim 31,

“Petite” is not explicit in discussing:

31. The method as claimed in claim 30, wherein as the personnel is completing the tour, the personnel is simultaneously entering information into the system database and the system database is automatically updating itself.

Dividock discloses a system and method by which the floor inspector enters his identity and enters codes representing hazards encountered. This information is uploaded into a central database. The location, time and date of the hazard are recorded in the data collector as entered by the employee. Dividock at Abstract and at Summary of the Invention.

45. Regarding Claim 32,

“Petite” is not explicit in discussing:

32. The method as claimed in claim 28, wherein the information regarding the persons who can access the system and information regarding the buildings to be managed is used to develop individual incidents to be checked by the personnel.

The hazard or incident information collected by the inspector or employee may be used to generate an incident report. Dividock at Abstract; Fig. 8 – various reports; col. 4, lines 45-65.

46. Regarding Claim 33,

“Petite” is not explicit in discussing:

33. The method as claimed in claim 32, wherein as the personnel is checking the individual incidents, the personnel is simultaneously entering information into the system database and the system database is automatically updating itself.

Dividock discloses an employee or inspector entering information into the data collector simultaneous to observing the hazard or incidence. Abstract.

47. Regarding Claim 34,

“Petite” is not explicit in discussing:

34. The method as claimed in claim 33, wherein the individual incidents are selected from the group consisting of one-time incidents, multiple time incidents, recurring incidents, and incidents that are not part of a tour.

Dividock discloses recording a plurality of incidents including one-time incidents (i.e. broken debris) or recurring incidents (i.e. maintenance-electrical/mechanical). Col. 3, lines 35-60.

48. Regarding Claim 35,

“Petite” is not explicit in discussing:

Art Unit: 3629

35. The method as claimed in claim 28, wherein personnel input information into the system database and receive information from the system database via wireless handheld computing devices.

Dividock discloses a handheld data collector which collects data and transfers that data to a central database/central computer. Abstract and Summary of the Invention. It would be obvious to one of ordinary skill in the art to transfer this data wirelessly.

49. Regarding Claim 36,

"Petite" is not explicit in discussing:

36. The method as claimed in claim 28, wherein the incidents are pre-inputted into the system database.

Dividock discloses codes which represent pre-inputted incidents or hazards. Abstract and Summary of the Invention.

50. Regarding Claim 37,

"Petite" is not explicit in discussing:

37. The method as claimed in claim 36, wherein the incidents are assigned a level of importance.

It would be obvious to assign a level of importance among incidents. For example, every good grocery clerk knows that a wet spill or broken glass is of the highest

Art Unit: 3629

importance. While something which is dry or not an immediate slip-fall danger is of less importance.

51. Regarding Claim 38,

“Petite” is not explicit in discussing:

38. The method as claimed in claim 37, wherein the incidents are prioritize in order of importance.

It would be obvious to place a higher priority on incidents of greater importance (i.e. the wet spill has a higher priority over stocking shelves or cleaning a dry mess).

52. Regarding Claim 39,

39. The method as claimed in claim 28, further comprising the step of sending out an alert to a predetermined person upon the occurrence of a particular event.

Claim 39, has similar limitations as of Claim 4, therefore it is rejected under the same rationale as Claim 4.

53. Regarding Claim 40,

40. The method as claimed in claim 39, wherein the alert is sent in the form of the group consisting of sending a message text to a mobile telephone, creating an instant message on

Art Unit: 3629

a personal computer, creating a pop up box on a personal computer or PDA, sending a signal to a pager, and making an automated telephone call.

Petite discloses using a two-way transceivers or radios [0094] to communicate.

Further, sending out an alert via any of the claimed methods is old and well known in the art.

54. Regarding Claim 41,

41. The method as claimed in claim 28, further comprising the step of generating real time reports regarding the tours and the incidents.

Dividock et al. US Pat. 6,078,255. Dividock discloses a floor safety inspection system which uses computer technology to document walk-around inspection tours by employees and to report the results remotely. Abstract. Dividock's invention uses portable data collector technology and remote reporting. Col. 4, lines 62-67.

Dividock discloses generating three types of reports. Chronological report provide a printout of each day's floor safety inspection tours, showing the identity of each employee, each time that a position marker was touched, and the recordation of any hazards. This chronological report is construed as the claimed real time reports. Col. 8, lines 44-67. Other reports are exception reports and management reports.

55. Regarding Claim 42,

Art Unit: 3629

42. The method as claimed in claim 41, wherein the reports are delivered to an appropriate person.

The reports disclosed by Dividock are provided to the appropriate person(s). For example, the chronological reports are furnished to insurance companies. The Exception reports and management reports are provided to business management. Col. 8, lines 44 - col. 9, line 8. See also col. 4, lines 43-53; col. 5, lines 5-30.

56. Regarding Claim 43,

43. The method as claimed in claim 42, wherein the report is sent in the form of the group consisting of sending a message text to a mobile telephone, creating an instant message on a personal computer, creating a pop up box on a personal computer or PDA, sending a signal to a pager, and making an automated telephone call.

Claim 43, has similar limitations as of Claim 40, therefore it is rejected under the same rationale as Claim 40.

57. Regarding Claim 44,

44. A method for managing real property via an interactive system for reporting, tracking, and rectifying security and maintenance items and incidences in a real property site, such as a building, an office complex comprising a number of buildings, and/or a property management company having multiple buildings and multiple sites, comprising the steps of:

Art Unit: 3629

- a. inputting into a system database information regarding the persons who can access the system and information regarding the buildings to be managed;
- b. creating a property management customization by setting up posts within the buildings and locations within the buildings, scheduling tasks to be completed, developing tours for personnel, and developing incidents and items;
- c. creating at least one notification means selected from the group consisting of reports and alerts, and developing methods of sending reports and alerts to at least one appropriate person;
- d. allowing access to the property management customization by the personnel through remote devices so as to allow the personnel to obtain work orders from the system database and to input information to the system database;
- e. providing for real time access to information in the system database and input information provided by the personnel; and

Claim 44 a-e, has similar limitations as of Claim 28, therefore it is rejected under the same rationale as Claim 28.

- f. generating real time reports regarding the tours and the incidents.

Claim 44 f, has similar limitations as of Claim 41, therefore it is rejected under the same rationale as Claim 41.

58. Regarding Claim 45,

Art Unit: 3629

45. The method as claimed in claim 44, wherein the information regarding the buildings to be managed is used to develop tours and to pinpoint incident and item reports.

Claim 45, has similar limitations as of Claim 29, therefore it is rejected under the same rationale as Claim 29.

59. Regarding Claim 46,

46. The method as claimed in claim 45, wherein the information regarding the buildings to be managed is used to develop tours to be completed by the personnel by selecting the locations within and around the building, organizing the locations into a coherent list, and creating the tour.

Claim 46, has similar limitations as of Claim 30, therefore it is rejected under the same rationale as Claim 30.

60. Regarding Claim 47,

47. The method as claimed in claim 46, wherein as the personnel is completing the tour, the personnel is simultaneously entering information into the system database and the system database is automatically updating itself.

Claim 47, has similar limitations as of Claim 31, therefore it is rejected under the same rationale as Claim 31.

Art Unit: 3629

61. Regarding Claim 48,

48. The method as claimed in claim 44, wherein the information regarding the persons who can access the system and information regarding the buildings to be managed is used to develop individual incidents to be checked by the personnel.

Claim 48, has similar limitations as of Claim 32, therefore it is rejected under the same rationale as Claim 32.

62. Regarding Claim 49,

49. The method as claimed in claim 48, wherein as the personnel is checking the individual incidents, the personnel is simultaneously entering information into the system database and the system database is automatically updating itself.

Claim 49, has similar limitations as of Claim 33, therefore it is rejected under the same rationale as Claim 33.

63. Regarding Claim 50,

50. The method as claimed in claim 49, wherein the individual incidents are selected from the group consisting of one-time incidents, multiple time incidents, recurring incidents, and incidents that are not part of a tour.

Art Unit: 3629

Claim 50, has similar limitations as of Claim 34, therefore it is rejected under the same rationale as Claim 34.

64. Regarding Claim 51,

51. The method as claimed in claim 28, wherein personnel input information into the system database and receive information from the system database via wireless handheld computing devices.

Claim 51, has similar limitations as of Claim 35, therefore it is rejected under the same rationale as Claim 35.

65. Regarding Claim 52,

52. The method as claimed in claim 44, wherein the incidents are pre-inputted into the system database.

Claim 52, has similar limitations as of Claim 36, therefore it is rejected under the same rationale as Claim 36.

66. Regarding Claim 53,

53. The method as claimed in claim 52, wherein the incidents are assigned a level of importance.

Art Unit: 3629

Claim 53, has similar limitations as of Claim 37, therefore it is rejected under the same rationale as Claim 37.

67. Regarding Claim 54,

54. The method as claimed in claim 53, wherein the incidents are prioritize in order of importance.

Claim 54, has similar limitations as of Claim 38, therefore it is rejected under the same rationale as Claim 38.

68. Regarding Claim 55,

55. The method as claimed in claim 44, further comprising the step of sending out an alert to a predetermined person upon the occurrence of a particular event.

Claim 55, has similar limitations as of Claim 4, therefore it is rejected under the same rationale as Claim 4.

69. Regarding Claim 56,

56. The method as claimed in claim 55, wherein the alert is sent in the form of the group consisting of sending a message text to a mobile telephone, creating an instant message on a

Art Unit: 3629

personal computer, creating a pop up box on a personal computer or PDA, sending a signal to a pager, and making an automated telephone call.

Claim 56, has similar limitations as of Claim 40, therefore it is rejected under the same rationale as Claim 40.

70. Regarding Claim 57,

57. The method as claimed in claim 44, wherein the reports are delivered to an appropriate person.

Claim 57, has similar limitations as of Claim 42, therefore it is rejected under the same rationale as Claim 42.

71. Regarding Claim 58,

58. The method as claimed in claim 57, wherein the report is sent in the form of the group consisting of sending a message text to a mobile telephone, creating an instant message on a personal computer, creating a pop up box on a personal computer or PDA, sending a signal to a pager, and making an automated telephone call.

Claim 58, has similar limitations as of Claim 40, therefore it is rejected under the same rationale as Claim 40.

Conclusion

72. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Zaks et al. US PGPub. 2003/0078798 (Zaks). For claim 6, see Zaks at [0077] for custom report features. For claim 7, see Zaks at [0077].
- Naidoo et al. US PGPub. 2003/0062997 (Naidoo). For claim 6, see Naidoo at [0069] which discloses the claimed “means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media”. He discloses alerting a user or customer of an alarm condition by email or any other electronic means.
- For claim 6, see also Markle et al. US PGPub. 2002/0116157 (Markle). Markle at [0118, 0123] also discloses “means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media”.
- For claim 6, see also Thielges et al. US PGPub. 2002/0138289 (Thielges). Thielges at [0052, 0060] also discloses “means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media”.

Art Unit: 3629

- For claim 6, see also Prokupets et al. US PGPub. 2003/0023874 (Prokupets).
Prokupets at [0021, 0034, 0036] also discloses “means for selecting the appropriate parties to whom the reports are to delivered, and means for selecting the receiving media”.
- For claim 40, see Prokupets et al. US PGPub. 2003/0023874. Prokupets at [0036] discloses the following devices which may receive an alert or alarm message: email, pager, PDA, etc...
- For claim 40, see Naidoo et al. US PGPub. 2003/0062997 (Naidoo). Naidoo at [0006, 0043,] discloses using a telephone or cellular service to send out an alert or alarm.
- For claim 41, see Zaks et al. US PGPub. 2003/0078798. Zaks at [0077] discloses daily reporting. Daily reporting is construed as claimed reports are generated in real time.

Art Unit: 3629

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW T. SITTNER whose telephone number is (571) 270-7137. The examiner can normally be reached on Monday-Friday, 8:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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